

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TYRA S. McKINNEY,

Plaintiff,

No. 13-11456

v.

District Judge Gerald E. Rosen
Magistrate Judge R. Steven Whalen

CORIZON HEALTH, INC., ET AL.,

Defendants.

ORDER

The parties have filed the following motions: (1) Plaintiff's Motion to Compel Answers to Interrogatories and Document Requests, Issue Protective Order Against the Taking of Plaintiff's Deposition, and Extend Discovery Period [Doc. #28]; and (2) Defendants Motion to Compel Discovery [Doc. #32]. On December 3, 2013, the Court held a telephonic conference with the attorneys, and certain issues raised in these motions were resolved. This Order reflects the issues that were resolved. Oral argument will be granted on the unresolved issues. Accordingly, Plaintiff's motion [Doc. #28] is GRANTED IN PART, DENIED IN PART, AND TAKEN UNDER ADVISEMENT IN PART, and Defendants' motion [Doc. #32] is GRANTED IN PART AND TAKEN UNDER ADVISEMENT IN PART, as follows:

(1) Within one day of the date of this Order, Plaintiff will reformulate her document requests to include records, notes, correspondence (including email correspondence), memoranda and other documents in Defendants' possession relating to Plaintiff's performance review, including the decision to place her on a performance improvement plan and the decision to terminate her employment.

(2) Within seven days of receipt of Plaintiff's request, Defendants shall produce all responsive documents.

(3) Discovery cut-off is extended to February 3, 2014

(4) Plaintiff's request for a protective order against taking her deposition is DENIED. Plaintiff's deposition, as well as the depositions of any other witnesses for either the Plaintiff or the Defendants, will be held before the discovery cut-off date.

(5) All unresolved issues in these motions are TAKEN UNDER ADVISEMENT, and will be presented at oral argument before the Hon. R. Steven Whalen, to be held at the following date and time:

December 17, 2013 @ 10:00 a.m.
Courtroom 662, Theodore Levin U.S. Courthouse
231 W. Lafayette Blvd.
Detroit, MI 48226

Counsel for the parties shall meet and confer face-to-face in advance of the hearing, pursuant to E.D. Mich. Local Rule 37.1, in a good-faith attempt to resolve the remaining issues. If all disputed issues are resolved, the parties shall submit to the Magistrate Judge a stipulation and proposed order disposing of the motions. If any unresolved issues remain, the parties shall file a Joint List of Unresolved Issues no later than December 13, 2013. The Joint List of Unresolved Issues must be filed electronically. The Joint List of Unresolved Issues shall enumerate and state, in a succinct fashion, the respective positions of each party on every issue that remains in dispute. The Joint List shall not exceed ten (10) pages, and must be signed by all parties to the dispute, or their attorneys. No exhibits or attachments shall be filed with the Joint List.

IT IS SO ORDERED.

Dated: December 3, 2013

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

I hereby certify the foregoing document was sent to parties of record on December 3, 2013, electronically and/or by U.S. mail.

s/Michael Williams
Case Manager to the
Honorable R. Steven Whalen